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EXAMINER

CAI, WAYNE HUU

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2681

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,635

Applicant(s)

BONNARD ET AL.

Examiner

Wayne Cai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to Amendment dated December 12, 2005.

Response to Arguments

1. Applicant's arguments filed have been fully considered but they are not persuasive.

The Applicant argues that Kazmi fails to teach or suggest, "detection of the geographical area (Cj) in which said mobile telephone device (UE-I) is located at predetermined times." The Examiner respectfully disagrees with the arguments because Kazmi describes how the subscriber designates a home zone 110A covering his schedules. Each subscription associated with a particular mobile subscriber is further registered storing data (see fig. 7 and its descriptions). Thus, the scheduled stored in storage is used to detect or determined of the geographical area in which the mobile telephone device is located at a particular period of time. Hence, this detection is detected at predetermined times.

Furthermore, the Applicant argues that Kazmi fails to teach or suggest "analysis of said sets of location parameters stored at chosen intervals." Again, the Examiner respectfully disagrees with this assertion because Kazmi teaches that "A register storing data as fully described in Fig. 7 is associated with an HLR 70 serving a particular mobile subscription. When ever a mobile station 40 associated with the subscription travels into a coverage area being served by a

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particular MSC 10, the serving MSC 10 performs a location update with the associated HLR 70 to inform the HLR of the mobile station's new location and the identity of the serving MSC. An application module 300 associated with the HLR 70 then evaluates the time period specified by each tuple or record, and determines which home zone is currently effective for the mobile station 40.

Clearly, the passage above teaches that when the mobile station 40 travels into the coverage area, then the analysis is taken place. This passage also shows that the chosen interval is a time period specified by each tuple or record. Therefore, the analysis of said sets of location parameters stored at the time period specified by each tuple or record because at this time, the system determines that the new home zone is effective. Since the Applicant does not specifically describe how to analyze the location parameters. Therefore, one skill the art would easily use software package to analyze any data, or parameters, and store the analyzed parameters periodically or at a specified interval.

The Applicant further argues with respect to dependent claims 18, and 36 that the claims specifically recite that "said field is selected from the group **including at least** "Home", "Office", and "Other" fields" and nowhere the cited reference teaches the quoted-above. In previous office action, the Examiner specifically pointed out elements 210, 220, and 230 in Fig. 7 of Kazmi to teach the claim feature. For instance, for a first tuple 210, the effective time period is from Monday 8:01 AM to 5:00 PM and uses the home zone identified by home zone ID 0 (i.e., at 8:01 AM on Monday, the system analyze the parameters, and recognize that home zone ID 0 should be in effective.) Home zone 1 could be

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designated to "Office", and it is similar to home zone 2 and 3 to be assigned to other fields.

Again, the subscriber designates a period of time associate with the home zone. This time interval is stored as described in Fig. 7. Furthermore, when the mobile station travels to a new coverage area (i.e., new designated home zone), the serving MSC performs a location update, in which it means that a detected geographical area is stored temporarily to do location update. Also, it is in corresponding relationship to the time of detection because the system detects a starting time of a new home zone and performs a location update so that new home zone could be in effect.

In response to arguments of dependent claims 2, and 25, the phrase "detecting periodically" as recited in claims 2, and 25 is broad. The Examiner reasonably, and broadly interprets that detecting at the specified time by the user is periodic.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 7, 9, 11-15, 17-19, 21-22, 24, 28-33, 35-37, 39, and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by Kazmi (US – 6,044,261).

Regarding claims 1, and 24, Kazmi discloses a method, and a device of treating location data for a mobile telephone device (UE-i) which can move in geographical areas (Cj) of a communication network, said geographical areas (Cj) being defined by sets of at least one location parameter, characterized in that said method comprises the following steps:

i) detection of the geographical area (Cj) in which said mobile telephone device (UE-i) is located at predetermined times (col. 5, lines 3-45),

ii) temporary storage of a set of location parameters representative of said detected geographical area (col. 5, line 46 – col. 5, line 60),

iii) analysis of said sets of location parameters stored at chosen intervals (col. 6, lines 9-31),

iv) storage of each set of location parameters satisfying at least one chosen criterion (col. 5, line 58 – col. 6, line 31).

Regarding claims 7, and 28, Kazmi discloses the method, and the device according to claims 1, and 24 as described above. Kazmi further discloses that said detected geographical area is stored temporarily in corresponding relationship to at least its time of detection (col. 6, lines 9-31).

Regarding claims 9, and 29, Kazmi discloses the method, and the device according to claims 1, and 24 as described above. Kazmi further discloses that said set of location parameters is stored, after analysis, in corresponding relationship to chosen information (col. 5, line 46 – col. 6, line 8).

Regarding claims 11-12, and 30-31, Kazmi discloses the method, and the system according to claims 7, 9, 28, and 29. Kazmi further discloses wherein

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said information is representative of a time interval associated with each set of location parameters satisfying said chosen criterion (fig. 7, and its descriptions).

Regarding claims 13, and 32, Kazmi discloses the method, and the device according to claims 1, and 24 as described above. Kazmi further discloses wherein it includes an additional step in which a chosen status is associated with said stored sets of location parameters (col. 5, lines 46-67; fig. 7, and its descriptions).

Regarding claims 14, and 15, Kazmi discloses the method according to claim 13 as described above. Kazmi also discloses wherein said information is representative of a time interval (fig. 7, elements 210, 220, and 230) associated with each set of location parameters satisfying said chosen criterion, and further characterized in that said status association is effected automatically as a function of said information (col. 6, lines 55-67).

Regarding claims 17, and 35, Kazmi discloses the method, and the device according to claims 13, and 32 as described above. Kazmi also discloses wherein said status is a field associated with an operating configuration of said mobile telephone device (UE-i) (fig. 7, and its descriptions).

Regarding claims 18, and 36, Kazmi discloses the method, and the device according to claims 17, and 35 as described above. Kazmi also discloses wherein said field is selected from the group including at least "Home", "Office" and "Other" fields (fig. 7, elements 210, 220, and 230).

Regarding claims 19, and 37, Kazmi discloses the method, and the device according to claims 13, and 32 as described above. Kazmi further

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discloses wherein said operating configuration is defined by the user of said mobile telephone device (UE-i) (col. 5, lines 12-26).

Regarding claims 21, 22, and 39, Kazmi discloses the method, and the device according to claims 1, 13, and 24 as described above. Kazmi further discloses wherein each set of location parameters includes at least one parameter representative of a network cell identifier (fig. 7, "home zone ID 0").

Regarding claim 33, Kazmi discloses all the limitations as described above. Kazmi also discloses a location data processing device (D) for a mobile telephone device (UE-i) which can move in geographical areas (Cj) of a communication network defined by sets of at least one location parameter, characterized in that it includes processing means (M) adapted i) to determine the geographical area (Cj) in which the mobile telephone device (UE-i) is located at predetermined times (col. 5, lines 3-45), and then to store temporarily a set of location parameters representative of said detected geographical area (col. 5, line 46 – col. 5, line 60), and ii) to analyze said sets of location parameters stored at chosen interval (col. 6, lines 9-31), in order to store each set of location parameters satisfying at least one chosen criterion (col. 5, line 58 – col. 6, line 31), wherein processing means (M) are adapted to effect said status association automatically as a function of said information (fig. 7, and its descriptions).

Regarding claim 41, Kazmi discloses all the limitations as described above. Kazmi also discloses a mobile telephone device (UE-i) able to move in geographical areas (Cj) of a communication network defined by sets of at least

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one location parameter, characterized in that it includes a processing device (D) according to claim 24 (fig. 1, element 40 and its descriptions).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-6, 8, 10, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazmi.

Regarding claims 2, and 25, Kazmi discloses the method, and the device according to claims 1, and 24 as described above, except for characterizing in that said detection is periodic. However, it is obvious to one skill in the art that the detection is periodic since the user has setup the schedule for the home zone. Therefore, it would periodically detect based upon the specified schedule.

Regarding claims 3-6, and 26-27, Kazmi discloses the method, and the system according to claims 1, 2, and 24 as described above. Kazmi further discloses wherein said analysis comprises determining all the sets of location parameters and then counting out each set of location parameters (col. 4, lines 1-25), except for characterizing in that each set of location parameters is stored in association with a number greater than a chosen threshold, said chosen criterion consisting of crossing said threshold to a value above said threshold. However,

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it would have been obvious to one skill in the art to select and store location parameters, which are greater than a chosen threshold since chosen threshold is a lowest level of acceptability.

Regarding claim 8, Kazmi discloses the method according to claim 2 as described above. Kazmi also discloses wherein said detected geographical area is stored temporarily in corresponding relationship to at least its time of detection (col. 6, lines 9-31).

Regarding claim 10, Kazmi discloses the method according to claim 2 as described above. Kazmi also discloses wherein set of location parameters is stored, after analysis, in corresponding relationship to chosen information (col. 5, line 46 – col. 6, line 8).

6. Claims 16, 20, 23, 34, 38, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazmi in view of Hussain et al. (hereinafter "Hussain") (US – 6,591,105 B1).

Regarding claims 16, and 34, Kazmi discloses the method, and the device according to claims 13, and 32 as described above. Kazmi, however, fails to disclose wherein said status association is initiated by the user of said mobile telephone device (UE-i) by selecting a status from a set of statuses displayed on a screen of his mobile telephone device (UE-i).

In a similar endeavor, Hussain discloses a system and method for managing access in cellular network with multiple profiles. Hussain further discloses wherein said status association is initiated by the user of said mobile

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telephone device (UE-i) by selecting a status from a set of statuses displayed on a screen of his mobile telephone device (UE-i) (col. 4, lines 4-35; fig. 3, and its descriptions).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the steps of displaying the status initiated by the user to inform what profile is currently in affect.

Regarding claims 20, and 38, Kazmi discloses the method, and the device according to claims 13, and 32 as described above. Kazmi, however, fails to disclose wherein at least two different sets of location parameters satisfying said criterion can be associated with the same status.

In a similar endeavor, Hussain discloses a system and method for managing access in cellular network with multiple profiles. Hussain further discloses wherein at least two different sets of location parameters satisfying said criterion can be associated with the same status (col. 4, lines 4-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include two set of locations parameter with the same status so that users could access the same status at two different locations.

Regarding claims 23, and 40, Kazmi discloses the method, and the device according to claims 21, and 39 as described above. Kazmi, however, fails to disclose wherein some sets of location parameters include at least one complementary parameter selected from the group including radio information representative of the received power of a base station (Node B) controlling said cell and/or the distance to the base station (Node B) controlling said cell.

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In a similar endeavor, Hussain discloses a system and method for managing access in cellular network with multiple profiles. Hussain further discloses wherein some sets of location parameters include at least one complementary parameter selected from the group including radio information representative of the received power of a base station (Node B) controlling said cell and/or the distance to the base station (Node B) controlling said cell (col. 4, line 64 – col. 5, line 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include some sets of location parameters include at least one complementary parameter selected from the group including radio information representative of the received power of a base station since the base station with stronger signal should be selected for better quality of service.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

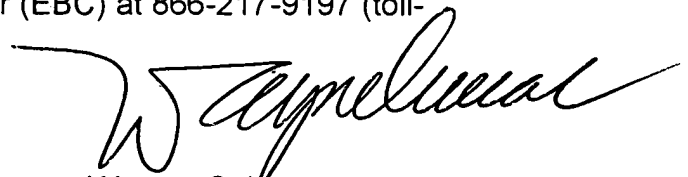
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the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Cai whose telephone number is (571) 272-7798. The examiner can normally be reached on Monday-Friday; 9:00-6:00; alternating Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wayne Cai
Examiner
Art Unit 2681



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JUNIOR EXAMINER